

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor: Whirley, R. et al.
Serial No.: 09/679,725
Filed: October 4, 2000

Examiner: Proctor, Jason Scott
Group Art Unit: 2123
Atty. Docket No.: TRI-0255-UT

Title: Virtual Prototyping and Testing for Medical Device Development

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COMMUNICATION TO EXAMINER

AND

EXAMINER INTERVIEW SUMMARY

Dear Sir:

In the Detailed Action that accompanied the Notice of Allowability mailed July 15, 2010, in the above identified application, the Action states that the Information Disclosure Statement submitted on February 26, 2001 cited a reference to "Hoover et al." and a reference to "Tanaka et al." without providing at least a year of publication for either reference. As such, the previous Action indicates that these citations have been lined through because they do not meet the requirements of 37 CFR 1.98. The undersigned spoke briefly to the Examiner by telephone on September 15, 2010, wherein the Examiner confirmed that both the Hoover reference and the Tanaka reference had been reviewed and considered substantively by him with regard to the subject matter of these two references vis a vis patentability of the allowed claims, but that these two references would not be listed on the cover sheet of the issued patent due to the missing dates. The Examiner further offered that the references could still be listed on the cover of the patent to be issued if at least the year of publication of each reference is known. A review of the status the references indicates that Hoover et al. published in the year 1997 and Tanaka et al. published in the year 1996. Applicants respectfully request that these references now be listed on the cover of the patent to be issued and that the status of having been lined through be withdrawn.

In the unlikely event a fee calculation document or other pertinent document is separated from this submission and the Office determines that an extension and/or other relief is required, Applicant petitions for any required relief, including extensions of time, and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. **50-2949**.

Respectfully submitted,

/William B. Anderson/

Dated: September 16, 2010

William B. Anderson
Registration No. 41,585
Customer No. 82764

GRANT ANDERSON LLP
6540 LUSK BOULEVARD, SUITE C210
SAN DIEGO, CA 92121
TELEPHONE (858) 623-3227
FACSIMILE (858) 623-3224